

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -x

UNITED STATES OF AMERICA :

- v. - :

MICHAEL T. GARCIA, :

Defendant. :

SUPERSEDING INFORMATION

S1 08 Cr. 75 (CM)

FEB 11 2008

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COUNT ONE

The United States Attorney charges:

1. From in or about September 2005 through in or about May 2007, in the Southern District of New York and elsewhere, MICHAEL T. GARCIA, the defendant, and others known and unknown, unlawfully, willfully, and knowingly, did combine, conspire, confederate, and agree together and with each other to violate Title 18, United States Code, Section 1029(a)(5).

2. It was a part and an object of the conspiracy that MICHAEL T. GARCIA, the defendant, and others known and unknown, unlawfully, willfully, knowingly, and with intent to defraud, as part of an offense affecting interstate commerce, did effect transactions with access devices issued to other persons, to receive payment and other things of value during a one-year period, the aggregate value of which exceeded \$1,000, in violation of Title 18, United States Code, Section 1029(a)(5).

Overt Acts

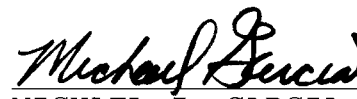
3. In furtherance of the conspiracy, and to effect the unlawful object thereof, MICHAEL T. GARCIA, the defendant,

and others known and unknown, committed the following overt acts, among others, in the Southern District of New York:

a) On or about October 11, 2006, MICHAEL T. GARCIA and a co-conspirator not named herein traveled to Sony Style in Paramus, New Jersey.

b) On or about November 30, 2006, a co-conspirator not named herein traveled to Tiffany & Co. in White Plains, New York.

(Title 18, United States Code, Section 1029(b)(2).)

A handwritten signature in black ink, appearing to read "Michael J. Garcia", is written over a horizontal line.

MICHAEL J. GARCIA
United States Attorney